



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**

AUG 26 2004

Technology Center 2100

Applicant: Ochoa, Carlos Gonzalez

Serial No.: 09/098,997

Filing Date: June 17, 1998

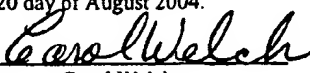
For: SYSTEM FOR BI-DIRECTIONAL VOICE AND  
DATA COMMUNICATION OVER A VIDEO  
DISTRIBUTION NETWORK

GAU: 2611

Examiner: Brown, Rueben M.

CERTIFICATE OF MAILING  
UNDER 37 CFR 1.8

I hereby certify that this paper or fee is being  
deposited with the United States Postal Service with  
sufficient postage as "First Class Mail" and is  
addressed to, Mail Stop RCE, Commissioner for  
Patents, P. O. Box 1450, Alexandria, VA 22313-  
1450 on this 20 day of August 2004.

  
Carol Welch

Mail Stop RCE  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT ACCOMPANYING RCE**

Dear Sir:

This paper accompanies the filing of an RCE. Authorization is hereby given to charge the deposit account of the undersigned, to wit Deposit Account No. 06-0540, an amount equal to \$860.00 to cover the RCE filing fee of \$385 and a 3-month extension of time fee of \$475.00. This communication is responsive to the Official Action mailed February 20, 2004 (the "Office Action," hereinafter) and to the advisory action dated mailed August 17, 2004 (the "Advisory Action," hereinafter). If it is determined that any other fee, including additional extension of time fees, must accompany this filing, please consider this our authorization to charge deposit account of the undersigned accordingly.

18/25/2004 RHEBRAHT 00000036 060540 09098997

12 FC:2253 475.00 DA

Adjustment date: 10/21/2004 SDIRETA1  
08/25/2004 RHEBRAHT 00000036 060540 09098997  
02 FC:2253 475.00 CR

10/21/2004 SDIRETA1 00000001 060540 09098997

10/21/2004 SDIRETA1 00000001 09098997  
01 FC:2251 55.00 DA

PATENT  
ATTY. DKT. NO.: VALENZ-98-27

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Carlos Gonzalez Ochoa

Application No.: 09/098,997

Filed: June 17, 1998

Examiner Rueben M. Brown  
Group No. 2611ATTN: REFUND  
U.S. Patent and Trademark Office  
Alexandria, VA

## REQUEST FOR REFUND OF EXTENSION OF TIME FEE

## 1. REFUND REQUEST

On April 20, 2004, applicant mailed a Response to a Final Office Action to the Patent Office. This filing was in response to a Final Office Action mailed by the Examiner on February 20, 2004. The Response to Final was mailed within the two-month period for response.

The Examiner's Advisory Action was not mailed until 8/17/2004 (i.e., five months and 27 days after the Final rejection was originally issued). A faxed copy of the Advisory Action was received by applicant's attorney on 8/18/2004.

On 8/20/2004, applicant's attorney prepared and filed a Request for Continued Examination (RCE) that included, out of an overabundance of caution, a Petition for Three Month Extension of Time. Applicant has now determined that the Extension of Time should have been calculated from the date the Advisory Action was mailed (i.e., August 17, 2004) and, in that case, Applicant would have needed to pay for a one month (rather than a three month) extension of time.

## CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being filed to Refund, U.S. Patent and Trademark Office, facsimile telephone No. 703/308-6778 this 2<sup>nd</sup> day of September, 2004.

  
Carol Welch

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The deposit account of Applicant's attorney (060540) was reduced by \$475.00 on August 25, 2004, under Seq. #47 (copy of deposit account statement for 06-0540 for August 2004 attached).

**2. FEES CHARGED FOR WHICH REFUND REQUESTED**

**Amount of Refund Requested**

☒ Fee Code #2253 - Request for Three Month Extension of Time \$475.00

**3. FEES WHICH SHOULD HAVE BEEN CHARGED**

☒ Fee Code #2251 - Request for One-Month Extension of Time \$55.00

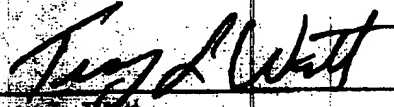
**TOTAL REFUND REQUESTED \$420.00**

**4. EXPLANATION OF WHY CHARGES SHOULD BE REFUNDED.**

Applicant responded within the two-month shortened time for response to a final Office Action. The Advisory Action was mailed after the end of the Three-Month shortened statutory period. Therefore, the shortened statutory period expired on the date the Advisory Action was mailed and any extension fee pursuant to 37 CFR 1.136(a) was to be calculated from the mailing date of the Advisory Action (i.e., August 17, 2004).

**5. MANNER OF REFUND**

Please make refund by crediting Account No. 06-0540.

 9/8/04  
 Terry L. Watt (Date)  
 Registration No. 42,214  
 FELLERS, SNIDER, BLANKENSHIP,  
 BAILEY & TIPPENS  
 The Kennedy Building  
 321 South Boston, Suite 800  
 Tulsa, OK 74103-3318  
 918/599-0621 (phone)  
 918/583-9659 (fax)

277181.1



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**Deposit Account Statement**

Requested Statement Period: August 2004  
Deposit Account Number: 080540  
Name: FELLER, JAMES BLANKENSHIP BAILEY & TIPPENS  
Attention: DEPT. OF COMMERCE  
Address: THE DEPT. OF COMMERCE BUILDING  
City: TULSA  
State: OK  
Zip: 74103-3318

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
08/02	39	2787327	21300-67844	8503	\$15.00	\$7,900.50
08/04	31	10802856		8021	\$40.00	\$7,860.50
08/04	128	10903816	67522/04-088	2001	\$385.00	\$7,475.50
08/04	816	78402016	57037/02-185	7004	\$150.00	\$7,325.50
08/05	1	08477572	67114/99-158	2253	\$475.00	\$6,850.50
08/05	17	09654095	67272	2402	\$185.00	\$6,665.50
08/05	18	09654095	67272	2252	\$210.00	\$6,455.50
08/05	205	78481920	67264/04-517	7001	\$335.00	\$6,120.50
08/05	602	2178287	OKG00154	7205	\$100.00	\$6,020.50
08/05	603	2178287	OKC00154	7208	\$200.00	\$5,820.50
08/08	25	2089487	67020/98-408/SRZ	8521	\$40.00	\$5,800.50
08/06	42	E-REPLENISHMENT		9203	\$10,000.00	\$15,800.50
08/06	68	60126491	79579/SRZ	8021	\$40.00	\$15,760.50
08/06	131	10802856	62120/04-059	1001	\$770.00	\$14,990.50
08/06	132	10802856	62120/04-059	1051	\$130.00	\$14,860.50
08/06	133	10802856	62120/04-059	1201	\$172.00	\$14,688.50
08/06	134	10802856	62120/04-059	1202	\$306.00	\$14,382.50
08/06	141	10815501	62103/04-043	1051	\$130.00	\$14,252.50
08/09	2	10176207	P1649/0301	1251	\$110.00	\$14,142.50
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08/10	530	1848510	67260/00-459	7205	\$100.00	\$13,272.50
08/10	531	1848510	67260/00-459	7201	\$400.00	\$12,872.50
08/11	38	80599924	57471/04-111	1005	\$180.00	\$12,712.50
08/12	2	10285319	57514/02-801A	2814	\$55.00	\$12,657.50
08/12	23	10914959	STL10408.1	1001	\$770.00	\$11,887.50
08/12	71	10914809	BHI 104-38492-US	1001	\$770.00	\$11,117.50
08/12	72	10914809	BHI 104-38492-US	1202	\$36.00	\$11,081.50
08/12	330	10847494	M0173-57812	8007	\$20.00	\$11,061.50

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08/13 86	60600576	67718/04-501	2005	\$80.00	\$10,981.50
08/16 122	60601001	OKC00392	2005	\$80.00	\$10,981.50
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08/16 902	2267342	67844/01-515	7208	\$200.00	\$10,801.50
08/17 35	60601541	67844/01-515	2005	\$80.00	\$10,521.50
08/17 35	09977051	67844/01-515	2483	\$885.00	\$9,856.50
08/17 36	09977051	88198/00-143	2801	\$385.00	\$9,471.50
08/17 37	09977051	88198/00-143	2801	\$265.00	\$9,208.50
08/18 138	09770845	6540-013	1251	\$110.00	\$9,098.50
08/19 2	5602372	6540-013	1251	\$1,045.00	\$8,081.50
08/19 91	10483477	P1655US02	1401	\$1,330.00	\$8,721.50
08/19 1315	1847758	67844/01-515	7205	\$100.00	\$8,621.50
08/19 1316	1847758	67844/01-515	7201	\$400.00	\$8,221.50
08/19 1317	1847758	67844/01-515	7205	\$100.00	\$8,121.50
08/19 1318	1847758	67844/01-515	7205	\$100.00	\$8,021.50
08/20 1	5602372	67844/01-515	1532	\$1,045.00	\$7,088.50
08/20 74	60602487	OKC00225	2005	\$80.00	\$6,988.50
08/24 271	2267966	27645/00-1021	7205	\$100.00	\$6,888.50
08/24 272	2267966	27645/00-1021	7208	\$200.00	\$6,688.50
08/25 28	6188563	27645/00-1021	2551	\$455.00	\$6,231.50
08/25 46	09088997	VALENZ 28-27	2801	\$385.00	\$5,848.50
08/25 47	09088997	VALENZ 28-27	2253	\$475.00	\$5,371.50
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08/25 142	10797891	STL11780	1251	\$110.00	\$4,748.50
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08/25 297	10878012	67844/01-515	8021	\$40.00	\$4,598.50
08/25 364	5372314	27688/02-238	8021	\$40.00	\$4,558.50
08/25 365	5510310	27688/02-238	8021	\$40.00	\$4,518.50
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08/25 367	5897700	27688/02-238	8021	\$40.00	\$4,438.50
08/25 415	60582894	65448/04-316	8021	\$40.00	\$4,398.50
08/26 7	10924653	65405/04-316	2001	\$385.00	\$4,011.50
08/26 8	10924653	65405/04-316	2201	\$43.00	\$3,968.50
08/26 76	2822523	B0272/07926/SRZ	8521	\$40.00	\$3,928.50
08/26 80	10924353	67838/04-331	2001	\$385.00	\$3,543.50
08/26 132	10688002	M0173-57648	8007	\$20.00	\$3,523.50
08/26 218	PCT/US04/27230	04-515/WO	8007	\$20.00	\$3,503.50
08/26 272	2183810	TM1205US07	7205	\$100.00	\$3,403.50
08/26 273	2183810	TM1205US07	7208	\$200.00	\$3,203.50
08/26 700	1785232	B496037584	8521	\$40.00	\$3,163.50
08/26 701	2107670	B496037584	8522	\$25.00	\$3,138.50
08/26 702	2118311	B496037584	8522	\$25.00	\$3,113.50
08/26 703	2186188	B496037584	8522	\$25.00	\$3,088.50
08/27 130	10797891	STL11780	8021	\$40.00	\$3,048.50
08/27 572	6208605	STL11780	8021	\$40.00	\$3,008.50
08/30 2	10928708	57183/04-531	2202	\$47.00	\$2,961.50
08/30 4	10928708	57183/04-531	2201	\$88.00	\$2,875.50

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